



# **CITY OF CRYSTAL LAKE**

## **AGENDA**

### **CITY COUNCIL REGULAR MEETING**

**City of Crystal Lake  
100 West Woodstock Street, Crystal Lake, IL  
City Council Chambers  
August 16, 2011  
7:30 p.m.**

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Approval of Minutes – August 2, 2011 Regular City Council Meeting**
5. **Accounts Payable**
6. **Public Presentation**  
*The public is invited to make an issue oriented comment on any matter of public concern not otherwise on the agenda. The public comment may be no longer than 5 minutes in duration. Interrogation of the city staff, Mayor or City Council will not be allowed at this time, nor will any comment from the Council. Personal invectives against city staff or elected officials are not permitted.*
7. **Mayor's Report**
8. **Council Reports**
9. **Consent Agenda**
  - a. **Ordinance amending the City Code to incorporate regulations for immobilization of motor vehicles on private property.**
  - b. **Downtown Crystal Lake/Main Street - Temporary Use Permit request for a special promotion, the Johnny Appleseed Festival and Great Ball Race, and waiver of the Temporary Use Permit application fee.**
10. **Knights of Columbus Council #3880 Class 16 Temporary Liquor License requests.**
11. **Backyard hens discussion.**
12. **Ordinance amending Chapter 158 Alcoholic Beverages, Section 158-2 Prohibited Conduct, and Chapter 329 Liquor Licenses, Section 329-11 Enforcement of the City Code.**
13. **Bid award and resolution authorizing execution of a purchase agreement for the provision of two (2) Computerized Spreader Controls and optional service kits for snowplow apparatus.**
14. **Proposal award and resolution authorizing execution of an agreement for the Pingree Road Segment 2 Improvement Phase III Engineering consultant and approval of changes in scope by 10 percent of the original price.**
15. **Resolution appropriating MFT funds for the Pingree Road Segment 2 Improvement.**
16. **Resolution authorizing execution of the Illinois Route 176 and Walkup Road Intergovernmental Agreement with McHenry County.**

17. **Resolution appropriating MFT funds for the Illinois Route 176 and Walkup Road intersection improvement.**
18. **Resolution authorizing execution of the Local Agency Agreement for Federal and State Participation with the Illinois Department of Transportation for Construction and Phase III Engineering of the Illinois Route 176 and Briarwood Road Improvement.**
19. **Resolution authorizing execution of the Intergovernmental Agreement with Dorr Township for the Illinois Route 176 and Briarwood Road Improvement.**
20. **Resolution appropriating MFT funds for the Illinois Route 176 and Briarwood Road Improvement.**
21. **Resolution authorizing an amendment to the Virginia Street Corridor Phase III Engineering contract.**
22. **Resolution authorizing execution of a Memorandum of Agreement between the City of Crystal Lake and the International Union of Operating Engineers Local 150.**
23. **Council Inquiries and Requests**
24. **Adjourn to Executive Session for the purpose of discussing matters of pending and probable litigation, the sale, purchase or lease of real property, collective bargaining, and personnel.**
25. **Reconvene to Regular Session.**
26. **Adjourn**

*If special assistance is needed in order to participate in a City of Crystal Lake public meeting, please contact Brad Mitchell, Assistant to the City Manager, at 815-459-2020, at least 24 hours prior to the meeting, if possible, to make arrangements.*



**Agenda Item No: 9a**

**City Council  
Agenda Supplement**

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**Meeting Date:**

August 16, 2011

**Item:**

Private Parking Vehicle Immobilization

**Staff Recommendation:**

Motion to adopt an ordinance amending the City Code to incorporate regulations for immobilization of motor vehicles on private property.

**Staff Contact:**

David Linder, Chief of Police

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**Background:**

The City of Crystal Lake's Immobilization Program regulates vehicle owners accumulating five or more not-fully-paid violation notices. The City currently does not regulate immobilization by private property owners. As you are aware, the City Council reviewed this new program at a previous meeting.

Historically, the Police Department has remained non-committal with regard to overseeing parking violations on private property. However, the direction of the private parking enforcement industry has evolved and now towing of illegal vehicles has been augmented and/or replaced by the placement of an immobilization device (boot) on a vehicle. The boot, which renders the vehicle un-drivable, is only removed after the violator pays a fee agreed to by the property owner and the company providing the service.

Recently, unregulated immobilization practices on private property have been questioned. On several occasions, residents have voiced concerns that certain immobilization companies have initiated "predatory" practices, such as aggressively seeking out unauthorized vehicles for booting and levying high charges for release of the vehicles. While it is important to allow owners of private parking lots to set their own standards, certain regulations and statutory requirements should be considered to prevent such predatory practices.

Currently, the City has almost no control over booting practices on private property, so the development of statutory regulations would have many benefits. For example, more control over booting operations should deter predatory practices.

In addition, more control would save Police Department resources. The department has recently utilized the Targeted Response Unit (TRU) to start investigating such claims of unscrupulous business procedures. Increased oversight should reduce the TRU's involvement, which allows the department to allocate these resources in other areas. Tighter booting regulations also may prevent conflicts between the booting companies and vehicle owners that have started to occur. While this type of regulation is a relatively new concept for municipal government, the Police Department has analyzed booting ordinances from ten municipalities and believes the best course of action is to incorporate similar regulations. For example, the following regulations could be included to strengthen the City's ability to regulate booting on private property:

- License and license application requirements for immobilization companies. The application could be similar to our Towing Program application but modified to include basic business information, proof of insurance, description of booting vehicles and/or employee uniforms, and identification of intended towing and booting lots.
- Payment of an application fee and an annual renewal fee. Research indicates an average fee of \$100 and annual renewal fee of \$100, both of which would be used to defray the costs for staff processing and oversight.
- Strengthened sign requirements for parking lots where immobilization would occur, including specific standards. Research indicates that all ordinances include these specific requirements.
- Required notice on all booted vehicles. Research suggests this notice be an adhesive sticker placed on the window of the driver's door which includes the name and telephone number of booting company, cost of vehicle release, and the time and reason for booting.
- Notice to the Police Department that immobilization has occurred. This would provide appropriate information to the Police Department if a resident calls with concerns as well as provide oversight to ensure the booting company is following procedures.
- Prohibition of booting if the vehicle owner or authorized user is present.
- Time requirements for a towing company to respond to a request for boot removal. Research indicates an hour on average as the required response time.
- Required form of payment options that allows the vehicle's owner to make payment with credit/debit card, instead of exclusively cash.
- Limitation of boot removal fee. Research indicates an average of \$100.

If new immobilization regulations are enacted, the Police Department will continue to work with residents to resolve such issues, as well as work with the City Attorney/State's Attorney's Office to prosecute offending companies. Again, while private property owners should have the ability to control their parking lots, there is strong evidence to indicate regulations should be developed to prevent predatory booting practices. It should be noted that the Chief of Police has met with the Crystal Lake Chamber of Commerce Executive Board at their regular meeting and discussed with them the implications of this ordinance. The Chief received positive support for this effort.

### **Recommendation**

It is staff's recommendation to adopt an ordinance amending the City Code to incorporate regulations for the immobilization of vehicles on private property.

**Votes Required to Pass:** Simple Majority



**DRAFT**

**ORDINANCE AMENDING THE CODE  
OF THE CITY OF CRYSTAL LAKE, ILLINOIS**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE as follows:

SECTION I: That Chapter 496, Vehicles and Traffic, is hereby amended by adding a new Chapter 496, Part 5, as follows:

Part 5  
Private Property Vehicle Immobilization

ARTICLE XIV  
Regulations

**§ 496-151. Definitions**

As used in this article, the following terms shall have the meanings indicated:

*Authorized Booting Company*

A company engaged in the business of booting or otherwise immobilizing motor vehicles and properly and currently licensed by the City to do business in the City.

*Immobilization*

The attachment of a lockable, road wheel clamp or similar device (sometimes referred to as a “boot”) to a motor vehicle that renders the motor vehicle immovable until the device is unlocked or removed. Immobilization sometimes is referred to as “booting.”

*Immobilize*

The act of immobilization (or “booting”) of a motor vehicle.

*Motor Vehicle*

Any vehicle propelled by a motor, including without limitation automobiles, trucks, vans, motorcycles, and motor scooters.

*Parking Lot Owner or Operator*

The owner of the parking lot or area or the authorized operator of the parking lot or area, and any person having a financial or other beneficial interest in (a) the property on which the parking lot or area is located, (b) the business of the owner of the parking lot or area, or (c) the business of the operator of the parking lot or area.

**§ 496-152. Conditions required for immobilization**

No motor vehicle parked in a privately owned parking lot or area may be immobilized without the permission of the motor vehicle's owner, except only if all of the following conditions are present:

- A. The vehicle is parked illegally, or otherwise is not authorized to park in the place it is located, at the time of being immobilized;
- B. Immobilization is undertaken by an authorized booting company;
- C. The parking lot or area has been posted with warning signs complying with the requirements of this article (see § 496-156);
- D. Immobilization has been authorized in writing by the parking lot owner or operator, or by a duly authorized agent of the parking lot owner or operator;
- E. The motor vehicle owner or authorized user is not present, and has not been present, at any time during the immobilization activity;

**§ 496-153. Notification**

Notice of the immobilization must be given to the Police Department at least 15 minutes after immobilization is undertaken, which notice must include all of the following information: the time the immobilization occurred, the parking lot location, the description and license plate number of the motor vehicle.

**§ 496-154. Vehicle immobilization license; application; fee**

No person or entity may immobilize a vehicle on private property without first securing a vehicle immobilization license issued by the City of Crystal Lake Chief of Police, or his designee.

- A. **Application.** All applicants for a vehicle immobilization license must complete a license application in a form provided by the City. The application must include all the following information:
  - (1) The name, business address, and permanent telephone number of the applicant;

- (2) A list of the names, home addresses and telephone numbers of each owner and employee of the applicant and, for each such person, a list of each conviction for any crime or ordinance violation within the five years immediately preceding the date of the application, including for each conviction the specific charge, the date of conviction, the place of conviction, and the sentence;
  - (3) A list of each privately owned parking lot and area at which the applicant intends to undertake immobilization and the names of each parking lot owner and operator and of each person authorized to order the immobilization;
  - (4) Proof of liability insurance in the amount not less than \$100,000 per person for injury or death and not less than \$25,000 per property damage incident, issued by an insurer authorized to underwrite risks in Illinois;
  - (5) A sample of the window immobilization notice complying with the requirements of § 496-157.
- B. Fee. The annual fee for a vehicle immobilization license is \$100. This fee is nonrefundable. This fee must be paid at the time an application is submitted.
- C. License term, renewal fee, termination. A vehicle immobilization license is for a term not exceeding one year. Every vehicle immobilization license will expire on April 30 of each year. The annual fee for renewal of a vehicle immobilization license is \$100, which must be paid prior to the date of expiration of the license. A vehicle immobilization license is terminated automatically and without further action of the City if the renewal fee is not paid within 15 days after the time required by this subsection. In the event of such termination, the vehicle immobilization license cannot be reissued by the City except after payment by the licensee of the full annual fee.

**§ 496-155. Supplemental information required**

When any information required on the vehicle immobilization license application has changed, or is supplemented with new information, the authorized booting company must submit that changed or supplemental information to the City within 15 days after the change or supplement, on a form provided by the City.

**§ 496-156. Warning sign requirements**

- A. Every private parking lot or area on which immobilization may be undertaken at any time must be posted with not fewer than two warning signs complying with the requirements of this section for not less than 14 days before the first immobilization occurs.
- B. Every required warning sign must be approved by the City's Building and Engineering Department prior to its installation, and all warning signs are subject to the fees

provided in this Code. The Building and Engineering Department may specify the locations within the parking lot or area where the warning signs must be posted. The Building and Engineering Department also may require the installation of more than two warning signs if the Department determines that the size or configuration of the parking lot or area warrants more than two signs to properly alert motor vehicle drivers.

- C. All required warning signs must meet all of the following standards:
- (1) Each sign must be posted in a location within the parking lot or area that is clearly visible at all times by vehicle operators. Each posted location must be free from obstruction by any natural or manmade objects.
  - (2) Each sign must include a warning that unauthorized vehicles will be immobilized.
  - (3) Each sign must be not less than 24 inches in height and 36 inches in width.
  - (4) Each sign must be posted with the bottom of the sign not less than four feet above the ground nor more than eight feet above the ground.
  - (5) The lettering on each sign must be painted with reflective material that provides a dramatic contrast from the color of the sign background.
  - (6) Each sign must state the maximum total cost to be paid for release of the immobilized vehicle. That amount may not exceed \$100 (see § 496-159).
  - (7) Each sign must contain the name and telephone number of the authorized booting company.

## **§ 496-157. Window notices on immobilized vehicles**

The authorized booting company must place a notice on the window of the driver's door of every motor vehicle that has been immobilized. The notice must be easily removable and must include all of the following information:

- A. The name and telephone number of the authorized booting company and of a person to contact for vehicle release.
- B. The total cost for release of the vehicle.
- C. All acceptable forms of payment of the release cost.
- D. The time/date of, and reason for, immobilization of the vehicle.



**§ 496-158. Prompt device removal required**

An authorized booting towing company must remove an immobilization device within 60 minutes after receiving a request for that removal, except only if the authorized booting company cannot meet that time requirement because it is currently actively engaged in another immobilization device removal. Under those, and all other, circumstances, the authorized booting company must respond to the removal request and remove the device as quickly as possible.

**§ 496-159. Maximum charge for immobilization; payment options**

The total charge for complete release of a vehicle that has been immobilized on a private parking lot or area may never exceed \$100. The authorized booting company must accept payment of the charge in cash or by credit or debit card.

**§ 496-160. Minimum business hours; telephone contact**

The authorized booting towing company must maintain a telephone number at which a company representative can be reached 24 hours per day, every day.

**§ 496-161. Penalty**

Any person, firm or corporation who or which violates the provisions of this article may, in addition to any penalty imposed under Chapter 1, Article II, General Penalty, of this Code, suffer the penalty of having his, her or its vehicle immobilization license revoked for any such violation. Revocation shall be in writing signed by the Chief of Police. Each incident of violation shall be a separate offense and punishable as described.

**§ 496-162. No applicability to City, law enforcement, fire rescue, or other government activity**

This article does not apply to immobilization activities conducted by or on behalf of the City, or the Police Department or any other public law enforcement agency, or the Fire Rescue Department or any other public fire / rescue agency, or any other governmental official engaged in her or his official duties.

**DRAFT**

SECTION II: That this Ordinance shall be in full force and effect from and after its passage and approval according to law.

SECTION III: That all Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

DATED at Crystal Lake, Illinois, this 16th day of August, 2011.

APPROVED:

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Aaron T. Shepley, Mayor

ATTEST:

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Nick Kachiroubas, City Clerk

PASSED: August 16, 2011

APPROVED: August 16, 2011

Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.



**Agenda Item No: 9b**

**City Council  
Agenda Supplement**

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**Meeting Date:**

August 16, 2011

**Item:**

Downtown Crystal Lake Main Street Temporary Use Permit for a Special Promotion (Johnny Appleseed Festival and Great Ball Race)

**Recommendation:**

Motion to approve the Temporary Use Permit for Downtown Crystal Lake Main Street for a Special Promotion (Johnny Appleseed Festival and Great Ball Race), pursuant to the recommendations listed below, and waive the Temporary Use Permit application fee.

**Staff Contact:**

Michelle Rentzsch, Director of Planning & Economic Development

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**Background:** The applicant has applied for a Temporary Use Permit for a Special Promotion. The applicant is requesting permission for the 19<sup>th</sup> annual Johnny Appleseed Festival on Saturday, September 24, 2011, from 9:00 a.m. to 4:00 p.m. City Council approval is required because the applicant is requesting permission to close off Brink Street between Williams and Main Streets from 2:00 p.m. to 3:30 p.m. for the 12<sup>th</sup> annual Great Ball Race and close the Brink Street Market parking lot until 5:00 p.m. (please see the attached site plans).

This year's event would be very similar to previous years' events and would include demonstrations and entertainment, food vendors, crafts, pony rides, a pumpkin train, pumpkin bowling, an apple ride, a petting zoo, and storytelling. Horse-drawn wagon rides would be given, which would circle the block that includes the Brink Street Market. For the Great Ball Race, brightly colored and numbered plastic balls would be rolled down Brink Street from their starting point at Williams Street to their ending point before Main Street. Also, the Farmers' Market, which is held every Saturday in the Depot Park, will be relocated to the parking lot at Brink and Grant Streets for this event only.

The applicant is requesting a waiver from the \$40.00 Temporary Use Permit application fee.

If the request is approved, staff recommends the following conditions:

1. The Temporary Use Permit shall be valid on Saturday, September 24, 2011. The closure of

Brink Street from Williams Street to Main Street is permitted from 2:00 p.m. to 3:30 p.m. The closure of the Brink Street Market parking lot is permitted until 5:00 p.m.

2. The event shall be in accordance with the attached site plan with the exception of both alleys east of Williams Street and the Marathon gas station driveways must remain clear at all times. Begin temporary closure of Williams Street EAST of the alley entrances and end the closure WEST of the gas station driveways. Any additional changes to the site plan shall be provided prior to the inspection by the Fire Prevention Bureau.
3. The Farmers' Market at the Grant Street parking lot must keep displays, tables, tents, etc. off the bioswale along Brink Street. This area was planted last year with native vegetation that is sensitive to disruption. Please keep all foot traffic off the bioswale area and ensure that all trash is picked up from the parking lot, as rainwater will cause debris to flow from the pavement surface into the bioswale.
4. Vendors are not allowed to tie into the Downtown lighting system for electrical needs and will need to supply their electrical power via generators. Temporary electric wiring shall be approved by the Building Division.
5. All electrical shall comply with the 2005 National Electric Code and is subject to an inspection prior to starting the event.
6. A standard Hold Harmless agreement between Downtown Crystal Lake Main Street and the City, including insurance coverage covering these events, is required.
7. The applicant shall contact the Crystal Lake Police Department to coordinate parking and traffic procedures.
8. Any additional permits or requests for signage shall be made through the Building Division. Signs shall not obstruct the view of traffic or be attached to utility poles.
9. No liquor shall be served at the event.
10. The applicant is responsible for obtaining all necessary McHenry County Health Department permits.
11. All outside vendors must be approved by Downtown Crystal Lake Main Street at least 7 days prior to the event (September 17, 2011).
12. The applicant shall provide adequate trash receptacles, which need to be emptied on a regular basis throughout the event, and clean up after the event. Downtown amenities and landscaping shall be properly maintained and/or restored to their original condition, as necessary. Waste materials in/under and within 30 feet of all tents/canopies need to be stored in approved containers. (Garbage cans need to be provided for waste, if present.)
13. The event organizer shall schedule a meeting with the Fire Prevention Bureau at least one week prior to the event (815-356-3640 ext. 4147). An inspection by the Fire Rescue Department is required prior to the event. The Fire Prevention Bureau needs to be contacted regarding cooking and other requirements for tents and canopies. Canopies/tents shall be adequately anchored using sand, water, concrete, or guide lines. Cooking tents/canopies shall be of a flame-resistant material, or treated as such. No smoking in or under any tents/canopies.
14. Provide approved access for emergency vehicles to gain entry to the event as well as maintain access to the existing structures. This shall include a minimum 20-foot access in the parking areas serving the alley to the rear of Williams Street and the Brink Street lot near the Raue Center. Access to both alleys east of Williams Street and the Marathon gas station driveways must remain clear at all times.
15. If the sidewalks cannot accommodate the pedestrian traffic sufficiently and people are using the streets, consideration to close the roadway to traffic should be made. The decision to close the roadway would be made by the on-duty police patrol supervisor and the event organizers.
16. Pre-event advertisements and event-day signage should direct motorists to the commuter lots

for parking.

17. The petitioner shall erect approved barricades and advance-warning signs for the temporary closure of Brink Street during the hours of 2:00 and 3:30 p.m. only. These signs and barricades shall only be in place during the approved time for the road closure.

18. Restrict parking in the three (3) Brink Street Z-lots until after 3:30 p.m. or provide temporary signs at these spaces noting that vehicles cannot be moved out of this area between the hours of 2:00 p.m. and 3:30 p.m.

19. Temporary pedestrian crossing warning signs at the intersection of Brink Street and Grant Street shall be provided. Contact the Public Works Department for these signs.

20. Any vendors must be located off all roadways and parking areas that are not approved for closure.

The applicant has been made aware of these recommended conditions and advised to attend the August 16, 2011 City Council meeting to answer any questions.

**Votes Required to Pass:** A simple majority vote.



**Agenda Item No: 10**

**City Council  
Agenda Supplement**

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**Meeting Date:** August 16, 2011

**Item:** Temporary Liquor Licenses – Knights of Columbus Council #3880

**Staff Recommendation:** Motion to approve issuance of two Class “16” Temporary Liquor Licenses to the Knights of Columbus Council #3880

**Staff Contact:** George Koczwara, Deputy City Manager

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**Background:**

The City has received two requests from the Knights of Columbus Council #3880 for the issuance of a Class “16” Temporary Liquor License in order to sell beer and wine at (1) the 49<sup>th</sup> Annual Corn Boil being held on the St. Thomas the Apostle Church grounds, located at 451 W. Terra Cotta Avenue, on September 3, 2011 from noon to 4:00 p.m., and (2) the Parish Dinner for Married Couples being held in the St. Thomas the Apostle Church Community Center, located at 451 W. Terra Cotta Avenue, on September 24, 2011 from 6:00 p.m. to 10:00 p.m.

Section 329-5-P of the City Code permits the issuance of a Class “16” Temporary Liquor License for the retail sale of beer and wine for consumption upon the premises specified in the license where sold. The license shall be issued to not-for-profit corporations qualified to do business in the State of Illinois. The license shall be for a period not to exceed three (3) days, and shall be issued only for special events sponsored by the not-for-profit corporation requesting the license.

Attached for City Council review is a copy of all support documentation regarding these requests.

**Votes Required to Pass:**

Simple majority



**Agenda Item No: 11**

**City Council  
Agenda Supplement**

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- Meeting Date:** August 16, 2011
- Item:** Discussion regarding backyard hens.
- Recommendation:** City Council discretion  
a) No action.  
b) Motion to approve the resolution referring a proposed text amendment to the Planning & Zoning Commission for a public hearing.
- Staff Contact:** Michelle Rentzsch, Director of Planning and Economic Development  
Erik Morimoto, Director of Engineering and Building
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**Background:**

At the July 5<sup>th</sup> City Council meeting, city staff was directed to research the City's code requirements pertaining to "farm animals" and other domesticated animals. Staff has researched the topic, particularly with regards to the request for backyard hens, and compiled a packet of information for review. The packet is organized according to the following outline.

- I) Facts about chickens
- II) Noted Concerns
  - a. Nuisances
  - b. Disease
  - c. Code Compliance
  - d. Attraction of Rodents and Predatory Animals
- III) Comments received for chickens
- IV) Comments received against chickens
- V) Results from the Public Input Workshop
- VI) Other Communities' information

If the Council finds it would like to forward a text amendment to the PZC for a public hearing, the following criteria were distilled from other communities' ordinances and are suggested for consideration:

- a. The lot is a single family use with detached structure in any zoning district.
- b. No male birds are permitted.
- c. At least 2 and not more than 4 of any chicken or quail hen may be kept.
- d. All hens must be kept in a coop with an attached outdoor enclosure. The coop must be sized to permit 4 square feet inside and 4 square feet outside for each bird. No hens may be permitted to roam at large. Chicken and quail shall not be kept in the same enclosure.
- e. There is a limit of 1 coop per property. No coop or run shall be located in the front or corner side yard.
- f. Any coop must be located a minimum of 5-feet from any property line or minimum of 20-feet from any residential structure on an adjacent lot, whichever is greater. Due to the setback requirements, portable coops are prohibited.
- g. Proper veterinary care shall be provided to any chicken or quail kept. Sick animals shall be treated immediately. Deceased animals shall be removed and disposed of in a safe manner.
- h. The premises shall be maintained in a sanitary condition, free from rodents, offensive odors, excessive noise, or any other conditions which constitute a public nuisance. All feed must be kept in bins with tightly fitting lids which prevent access by wildlife. When feeding, feeders shall be utilized and owners shall avoid casting of food on the ground.
- i. Proof of registration with the Illinois Department of Agriculture Livestock. Registration shall be on-site and posted in a location that is visible from the street.
- j. The sale of any birds or eggs is prohibited from the property.
- k. The slaughter of any bird within the City on any residential property, except where permitted, is strictly prohibited.
- l. An annual permit or registration shall be obtained from the City. Proof of Illinois registration, veterinary care and site plan must be submitted with permit application.
- m. A building permit for an accessory structure must be obtained from the City for the coop and any associated electrical work. The construction of the structure shall meet the codes currently adopted by the City.

#### **City Code Amendment for Domesticated Animals**

In addition, an amendment to the City Code is suggested to allow commonly kept animals such as hamsters, rabbits, lizards, and turtles. The suggested text amendment is as follows with the new proposed text being underlined:

#### **ARTICLE III Rules and Regulations (§166-6 - §166-15)**

##### **§ 166-6 Keeping of animals restricted.**

No person shall own, keep harbor, or have custody of any animal over three months of age, within the City except upon properties zoned "farming" or approved for such use by proper zoning amendment, special use, or other approval pursuant to the ordinances of the City, except that this



section shall not apply to the keeping of cats, small cage-birds, **small caged mammals, arachnids, non-venomous reptiles**, aquatic and amphibian animals solely as pets, or the registration of dogs as provided in § 166-5.

Changes to the UDO for backyard hens, would require a referral to the PZC for a public hearing and a recommendation to the City Council for review and decision.

**Votes Required to Pass:** A simple majority vote.



**Agenda Item No: 12**

**City Council  
Agenda Supplement**

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**Meeting Date:**

August 16, 2011

**Item:**

Internal Measures to Prevent Alcohol Consumption  
In Teens (IMPACT) Program

**Staff Recommendation:**

Motion to adopt an ordinance amending Chapter 158  
Alcoholic Beverages Section 158-2 Prohibited Conduct and  
Chapter 329 Liquor Licenses Section 329-11 Enforcement  
of the City Code.

**Staff Contact:**

David Linder, Chief of Police

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**Background:**

A compliance check is a tool commonly used to identify alcohol establishments that sell alcohol to underage youth. Current compliance checks or "stings" are law enforcement driven and utilize participating youth (under the age of 21 but over the age of 18) who attempt to purchase alcohol at local businesses while accompanied by undercover law enforcement officers. Once the sale is made, the offending employee is arrested and additional charges are levied against the business owner through the Liquor Control Commission.

Compliance checks and how they are accomplished are authorized by State and local laws that outline standards for conducting the checks, the people or agencies responsible for conducting the compliance checks, and any penalties for establishments, servers and sellers who illegally sell or serve alcohol to underage youth. Any change in current practice would need to be in compliance with both State and local laws.

While enforcement through compliance checks is designed to impose sanctions on the sale of alcohol to minors, it is equally important to reduce the incidents of the sale of alcohol to underage youth through an educational process. This process should be designed to identify, warn, and educate alcohol establishments and their employees that serve or sell alcohol of the potential internal problems that may contribute to the sale of alcohol to underage youth.

Additionally, any suggested new process or program needs to garner support through the establishment of a partnership between local law enforcement, the Liquor Control Commission and the business owners to effectively reduce or prevent the sale of alcohol to minors in the future. This partnership should encourage compliance by utilizing State Statutes in a manner that imparts to the business owner the ability to conduct internal audits of employees through compliance checks, with non-compliance being handled in an educationally based model as opposed to a punitive one.

Legal research disclosed that Illinois State Statutes allow business owners of liquor licensed establishments to legally conduct their own "stings". This little utilized Statute allows for the expansion of collaborative efforts in a fashion to include the use of liquor establishment driven compliance checks.

The Internal Measures to Prevent Alcohol Consumption in Teens (IMPACT) Program establishes the means by which businesses can work with the Crystal Lake Police Department in the establishment of internal compliance checks, conducted by the business owner, with the approval of the City through its Chief of Police or designee. This program is designed to encourage a reduction in the incidents of underage drinking by means of a voluntary partnership between the Police Department and local business owners who sell alcoholic beverages.

The intent of the Impact Program is not to eliminate current compliance stings conducted by law enforcement, but to augment them with the inclusion of internal liquor compliance checks that promote legal observance through education and training of employees so as to reinforce understanding and compliance with current State and local liquor laws.

The proposed Ordinance lays the foundation for the furtherance of this effort and allows for the alternative measures to be recognized as a tool to be used in conjunction with the traditional punitive enforcement model, allowing an alternative to those liquor licensed establishments that wish to participate.

**Votes Required to Pass:**

Simple Majority



**DRAFT**

**AN ORDINANCE AMENDING CHAPTERS 158 and 329 OF THE CODE OF ORDINANCES OF THE CITY OF CRYSTAL LAKE**

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Crystal Lake, as follows:

SECTION 1: The Code of Ordinances, City of Crystal Lake, Illinois, is hereby amended by amending Chapter 158 ALCOHOLIC BEVERAGES Section 158-2 Prohibited conduct; exception; penalty, as follows:

A. Prohibited conduct.

- (1) Any person under the age of 21 years shall not purchase or accept a gift of wine or beer or have wine or beer in his/her possession.
- (2) The consumption of wine or beer by any person under the age of 21 years is forbidden.
- (3) No person under the age of 21 years shall purchase or accept a gift of alcoholic liquor or have alcoholic liquor in his/her possession.
- (4) The consumption of alcoholic liquor by any person under the age of 21 years is forbidden.

B. The possession and dispensing or consumption by a minor of alcoholic liquor, wine or beer in the performance of a religious service or ceremony, or the consumption by a minor under the direct supervision and approval of the parents or parent of such minor in the privacy of a home, is not prohibited by this article.

C. Every person under the age of twenty-one (21) years who purchases or attempts to purchase liquor shall be guilty of a violation of this title. However, this section does not apply to persons between eighteen (18) and twenty-one (21) years of age who are participating in an In-House Controlled Purchase Program (as provided in Section 329-11 of this Code) as agent of a retail liquor licensee, and as authorized and permitted by the Liquor Control Commissioner and/or the City of Crystal Lake Police Department. Violations of sections 158-2(A)(1), 158-2(A)(3) and/or 329-19 of the City of Crystal Lake Code of Ordinances for either the sale of alcohol to, or the purchase of alcohol by, a minor pursuant and in strict compliance with an In-House Controlled Purchase Program authorized by the Liquor Control Commissioner and/or the City of Crystal Lake Police Department may not be used for criminal or administrative prosecution. This section shall not, however, prohibit prosecution of a person under the age of

twenty-one (21) who is participating in an In-House Controlled Purchase Program and who either: 1) consumes any alcohol purchased in connection with such In-House Controlled Purchase Program, and/or 2) removes from the licensed premises any alcohol purchased in connection with an In-House Controlled Purchase Program.

SECTION II: The Code of Ordinances, City of Crystal Lake, Illinois, is hereby amended by amending Chapter 329 LIQUOR LICENSES Section 329-11 Enforcement, as follows:

- A. The Mayor and the City Council of the City of Crystal Lake hereby authorize any law enforcing officer of the City of Crystal Lake to enter at any time upon any premises licensed hereunder to determine whether any of the provisions of this chapter or whether any of the rules and regulations adopted by the Mayor and the City Council of the City of Crystal Lake or the State of Illinois have been or are being violated and at such time to examine the premises of said licensee in connection therewith. Further, the Mayor and the City Council of the City of Crystal Lake authorize any law enforcing officer of the City of Crystal Lake to receive complaints from any citizen within the jurisdiction of the City of Crystal Lake and any of the provisions of this chapter or any rules or regulations adopted pursuant to, have been or are being violated, and to act upon complaints in the matter provided.
- B. An In-House Controlled Purchase Program (“In-House Controlled Purchase Program”) is a program that allows retail liquor licensees to utilize the services of persons between eighteen (18) and twenty one (21) years of age to attempt to purchase alcohol at their licensed establishment for the purpose of evaluating the licensee’s training program regarding the sale of liquor to persons under twenty-one years of age. The In-House Controlled Purchase Program is intended to promote an environment where the licensee, working in conjunction with the City, demonstrates support for a program designed to reduce the incidence of underage consumption of alcohol.
- C. The licensee’s In-House Controlled Purchase Program must meet the requirements of this Section and must be approved by the Liquor Commissioner or Chief of Police of the Crystal Lake Police Department prior to a Licensee or any agent of the licensee engaging in the In-House Controlled Purchase Program.
- D. Violations of Section 158-2 of the Code of the City of Crystal Lake (Alcoholic Beverages – Prohibited conduct; exception; penalty) occurring under an In-House Controlled Purchase Program may not be used for criminal prosecution or administrative action. This section shall not, however, prohibit prosecution of a person under the age of twenty-one (21) who is participating in an In-House Controlled Purchase Program and who either: 1) consumes any alcohol purchased in connection with such In-House Controlled Purchase Program, and/or 2) removes from the licensed premises any alcohol purchased in connection with an In-House Controlled Purchase Program.
- E. The Illinois Compiled Statutes (235 ILCS 5/1-1 *et seq.*) Liquor Control Act of 1934, (hereinafter referred to as the “Act” in this chapter) Article VI (General Provisions), 5/6-16.1 (Enforcement Actions) are hereby by reference adopted and also made

applicable in part, to the Code of the City of Crystal Lake Section 329-11 (Enforcement) in that a licensee or an officer, associate, member, representative, agent, or employee of a licensee may sell, give, or deliver alcoholic liquor to a person under the age of 21 years or authorize the sale, gift, or delivery of alcoholic liquor to a person under the age of 21 years pursuant to a plan or action to investigate, patrol, or otherwise conduct a "sting operation" or enforcement action against a person employed by the licensee or on the licensed premises if the licensee or officer, associate, member, representative, agent, or employee of the licensee first provides notice, applies for and is granted a permit as provided in this ordinance to conduct an In-House Controlled Purchase Program, "sting operation" or enforcement action, utilizing underage participants approved by the City of Crystal Lake Police Department. Such notice and application shall be submitted in writing at least seven (7) days before the "sting operation" or enforcement action under the In-House Controlled Purchase Program. Notice provided under this Section shall be valid for a "sting operation" or enforcement action conducted under an In-House Controlled Purchase Program within 60 days of such notice.

- (1) The In-House Controlled Purchase Program is under the jurisdiction of the Liquor Control Commissioner for the City of Crystal Lake. The Liquor Commissioner may authorize the implementation and ongoing administration of this program through the Chief of the Police Department or his designee.
- (2) Every person under the age of twenty-one years who purchases or attempts to purchase liquor shall be guilty of a violation of this title. This section does not apply to persons between the ages of eighteen and twenty-one years who are participating in an In-House Controlled Purchase Program authorized by the Liquor Control Commissioner and in accordance with any applicable rules adopted thereby. Violations of sections 158-2(A)(1), 158-2(A)(3) and/or 329-19 of the City of Crystal Lake Code of Ordinances for either the sale of alcohol to, or the purchase of alcohol by, a minor pursuant to an In-House Controlled Purchase Program authorized by the Liquor Control Commissioner and/or the City of Crystal Lake Police Department may not be used for criminal or administrative prosecution.
- (3) Any licensee that applies for an In-House Controlled Purchase Program permit shall first provide his or her employees a written description of the licensee's In-House Controlled Purchase Program. The written description must include notice of actions that may be taken as a consequence of an employee's failure to comply with company policies regarding the sale of alcohol during an In-House Controlled Purchase Program.
- (4) The In-House Controlled Purchase Program authorized under this section are for the purposes of training employees, determining licensee/employer self-compliance and furthering compliance with underage drinking laws. As a condition of being granted an In-House Controlled Purchase Program permit, the licensee/employer agrees not to terminate an employee solely for a first-time failure to comply with company policies regarding the sale of alcohol during an In-House Controlled Purchase Program authorized under this section.

- F. A retail liquor licensee may conduct an In-House Controlled Purchase Program under the following conditions:
- (1) The licensee shall only utilize underage individuals trained and/or otherwise approved by the Crystal Lake Police Department to conduct In-House Controlled Purchase Program operations. Such individual shall be under the direct supervision and watch of a pre-approved adult agent of licensee at least twenty one (21) years of age during the entire In-House Controlled Purchase Program operation. Licensee must ensure that:
    - (a) Persons participating in the In-House Controlled Purchase Program must be eighteen (18), nineteen (19) or twenty (20) years of age at the time of the In-House Controlled Purchase Program operation;
    - (b) The persons participating in the In-House Controlled Purchase Program may not use fraudulent identification and should not be deceptively mature in appearance;
    - (c) Two photos must be taken of the persons participating in the In-House Controlled Purchase Program on the same day of any operation. One photo must be full face and one photo must show the employee from head to toe. These photos must be maintained on the licensed premises, available for inspection by the police and/or the Liquor Control Commissioner;
    - (d) If persons participating in the In-House Controlled Purchase Program are paid for their time, there can be no compensation of such persons based on the number of successful purchases made during the course of the In-House Controlled Purchase Program;
    - (e) The Licensee is responsible to ensure that no persons participating in the In-House Controlled Purchase Program at any time during the course of a “sting operation”, violates any law, ordinance or administrative rule while participating in a controlled purchase action. Violations of sections 158-2(A)(1), 158-2(A)(3) and/or 329-19 of the City of Crystal Lake Code of Ordinances for either the sale of alcohol to, or the purchase of alcohol by, a minor pursuant to an In-House Controlled Purchase Program authorized by the Liquor Control Commissioner and/or the City of Crystal Lake Police Department may not be used for criminal or administrative prosecution;
    - (f) The licensee must have written procedures that ensure any liquor purchased by an eighteen, nineteen, or twenty year old person during an In-House Controlled Purchase Program is not consumed by that person and/or removed from the licensed premises, and that the liquor is adequately secured by the licensee or an employee who is at least twenty-one years of age immediately following an occurrence of any purchase; and

- (g) Any licensee that conducts an In-House Controlled Purchase Program and determines employees to be in compliance with all applicable laws and ordinances shall notify such employees that no violation was found within 30 days after the In-House Controlled Purchase Program operation, and shall maintain a copy of such notice at the licensed premises, available for inspection by the police and/or the Liquor Control Commissioner.
- (2) The licensee must keep a statement on file signed by the licensee and each employee indicating that the employee has received training regarding the sale of liquor to persons under twenty-one years of age. Restaurant, tavern, or sports/entertainment facility licensees must keep on file either such a statement for each employee or a copy of the employee's mandatory alcohol server training permit. These records must be maintained on the licensed premises, available for inspection by the Police Department, Liquor Commissioner or any designee as approved by the Liquor Commissioner.
- (3) During an In-House Controlled Purchase Program, the person supervising the program must possess:
  - (a) The licensee's controlled purchase program procedures;
  - (b) A valid approved permit from the City of Crystal Lake to conduct the In-House Controlled Purchase Program; and
  - (c) Valid identification.
- (4) All costs and expenses incident to licensee's In-House Controlled Purchase Program shall be borne by the licensee. As an express condition of the acceptance of a permit to conduct an In-House Controlled Purchase Program, the licensee thereby agrees to indemnify and hold harmless the City, its officials, both elected and appointed, its employees and agents against any loss or liability or damage, including expenses and costs for bodily or personal injury, and for property damage sustained by any person or to any property as the result of any In-House Controlled Purchase Program activities.
- (5) If a licensee's In-House Controlled Purchase Program fails to meet any of the requirements of this Ordinance, the Chief of Police or Liquor Control Commissioner may revoke the permit to conduct the In-House Controlled Purchase Program. The licensee may reapply for approval to conduct In-House Controlled Purchase Programs not less than one year following such revocation.

**SECTION III:** That all Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

**SECTION IV:** If any part of this ordinance is found invalid, then the remainder shall continue in full force and effect.



**DRAFT**

DATED at Crystal Lake, Illinois, this \_\_\_\_\_ day of July, 2011.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

Published in pamphlet form by the authority of the Mayor and City Council of the City of  
Crystal Lake



**Agenda Item No: 13**

**City Council  
Agenda Supplement**

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**Meeting Date:** August 16, 2011

**Item:** Computerized Spreader Controls

**Staff recommendation:** Motion to award the bid for the provision of two (2) Computerized Spreader Controls and optional service kits to the lowest responsible and responsive bidder, Bonnell Industries, in the amount of \$17,933.00, and adopt a resolution authorizing the City Manager to execute a purchase agreement with Bonnell Industries.

**Staff Contact:** Victor Ramirez, Director of Public Works

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**Background:**

On Thursday, August 4, 2011, the City of Crystal Lake publicly opened and read aloud bids for the purchase of two (2) computerized spreader control units and optional service kits for snowplow apparatus. These computers are synced to the truck-mounted salt distribution systems and are used to monitor and regulate the salt distribution during salting events. The consumption data and road miles can then be analyzed for efficiencies. The Public Works Department operates nineteen main-route, heavy-duty dump trucks. Eighteen of these trucks have assigned routes and one is used as a backup. To date, the Public Works Department has equipped fifteen of these trucks, installing five each year for the last three years. The Public Works Department will utilize these computerized spreader controls in specific plow trucks (units 404 and 417) during snow and ice control operations. These are the last trucks to be equipped.

In addition to the spreader controls, seven service kits are being purchased. The service kits are upgraded wiring harnesses that will replace existing wiring harnesses on the earliest vehicles equipped.

The following is a breakdown of the bids received:

Vendor	City, State	Spreader Controls	Total Service Kits Cost	Grand Total
√ Bonnell Industries, Inc	Dixon, Illinois	\$12,669.00	\$5,264.00	\$17,933.00
R.A. Adams Enterprises, Inc.	McHenry, Illinois	\$12,855.00	\$5,722.50	\$18,577.50
Auto Truck Group	Bartlett, Illinois	\$13,861.00	\$5,313.00	\$19,174.00
Monroe Truck Equipment	Monroe, WI	\$15,756.00	\$5,593.00	\$26,942.00

√ Indicates Recommended Lowest responsible and responsive Bidder

**Recommendation:**

The Public Works Department and the City Manager's office have reviewed all bids received for completeness and accuracy in accordance with the invitation to bid document. The Public Works Department staff has verified references and has received positive recommendations for the lowest bidder. Therefore, it is the recommendation of the Public Works Department and City Manager's office to award the bid to Bonnell Industries, Inc.

**Votes Required to Pass:**

Simple majority

DRAFT

RESOLUTION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute a Purchase Agreement between the CITY OF CRYSTAL LAKE and Bonnell Industries, Inc., in the amount of \$17,933.00, for the provision of (7) Seven Service Kits and (2) Two Computerized Spreader Controls for Snow & Ice Control Operations.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2011

CITY OF CRYSTAL LAKE, an  
Illinois municipal corporation,

By: \_\_\_\_\_  
MAYOR

SEAL

ATTEST

\_\_\_\_\_  
CITY CLERK

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_



## Agenda Item No: 14

### City Council Agenda Supplement

**Meeting Date:**

August 16, 2011

**Item:**

Consultant Selection Approval for the Pingree Road Segment 2 Improvement Phase III Engineering

**Staff Recommendation:**

Motion to award the proposal for the Pingree Road Segment 2 Improvement Phase III Engineering consultant to the most qualified responsible, responsive proposer, Christopher B. Burke Engineering LTD, and adopt a resolution authorizing the City Manager to execute an agreement with Christopher B. Burke Engineering LTD, Inc. in the amount of \$112,361.32 and approve changes in scope by 10 percent of the original price.

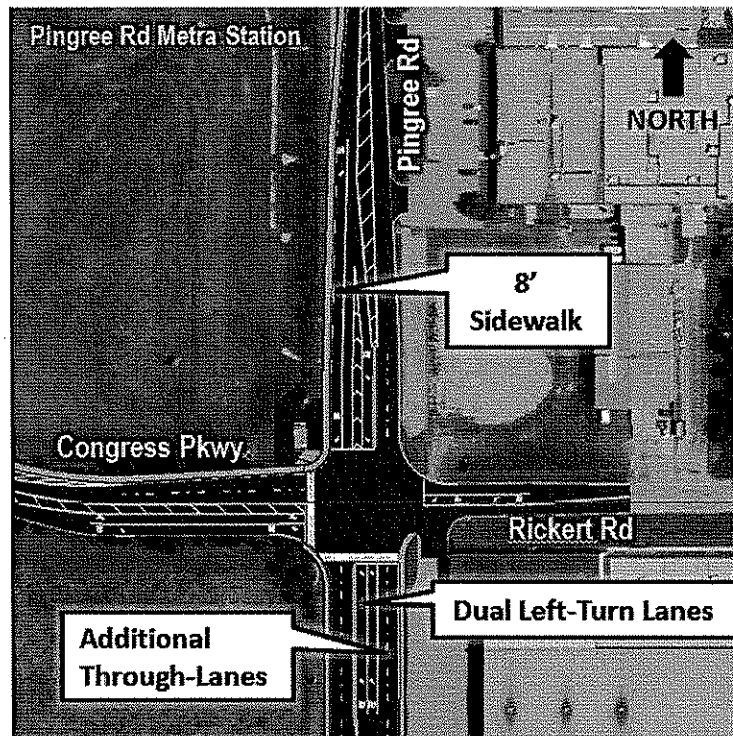
**Staff Contact:**

Erik D. Morimoto, Director of Engineering and Building

**Background:**

The Pingree Road Segment 2 improvement will complete the enhancements in this corridor with the widening of the intersection at Pingree Road and Congress Parkway.

The project will match the Pingree Road improvements to the south and consist of work between Cog Circle and the Union Pacific Railroad tracks. Pingree Road will be widened to a five-lane section south of Congress Parkway and will taper to a two-lane section north to the railroad tracks.



This project is being funded by a combination of Federal Surface Transportation Program (STP) funds, Metra's contribution as defined in the traffic study and PUD approval for the Pingree Road Station, and local City MFT funds.

The Phase II Engineering, performed by Bollinger, Lach and Associates (BLA), is nearly complete and will be submitted to IDOT on August 29, 2011 for approval. A letting date is scheduled on November 18, 2011 for this project.

In order to complete the project, the City must select a consultant to perform the Phase III Engineering. To ensure the project is completed per plan and on time, the Engineering and Building Department recommends the use of a knowledgeable and experienced firm to oversee the project construction.

#### *Consultant Selection Process*

As Federal STP funds are being utilized in the Phase III Engineering, federal laws require that a purely qualifications-based selection process be followed to secure an engineering firm for this project. The City received proposals from fifteen firms in response to the request.

Staff from the Engineering and Building Department reviewed each of the proposals and ranked the firms based solely on their qualifications. The criteria that were considered during the review were:

1. Proposal completeness
2. Firm's reputation and integrity
3. General experience and history of performance on similar projects
4. Current or past projects within the surrounding area
5. Approach to the management of the project
6. Experience of Resident Engineer and other personnel

Of the fifteen proposals received, the Engineering and Building Department determined Christopher B. Burke Engineering LTD (CBBEL) to be the most qualified and responsible proposer. CBBEL provided the best approach to the management of the project, while providing a knowledgeable Resident Engineer to oversee the project during construction. The documentation for a federally-funded, IDOT-let job is extensive, and CBBEL's proposal demonstrated that the Resident Engineer has the training and experience to handle the project successfully. CBBEL is currently performing the construction engineering on the City's Pingree Road Segment 3 improvement, directly to the south of the project area.

The next step was to review CBBEL's provided cost. Note that federal law prohibits revealing or considering any other proposer's cost. Upon review of CBBEL's cost, the Engineering and Building Department determined that the proposed cost is competitive relative to the scope of services.

The provided cost is also approximately \$97,000 less than what is currently budgeted, based on City Staff's estimate for these Phase III Engineering services. The costs for this project were included in the Fiscal Year 2011-2012 budget.

*Recommendation*

Based on the proposals received and the experience and qualifications noted, it is the recommendation of the Engineering and Building Department to select CBBEL to perform the Pingree Road Segment 2 Phase III Construction Engineering.

**Votes Required to Pass:**

Simple majority

**DRAFT**



**The City of Crystal Lake Illinois**

**RESOLUTION**

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE** that the City Manager be authorized to execute an agreement with Christopher B. Burke Engineering Limited for the Pingree Road Segment 2 Phase III Engineering for \$112,361.32. The City Manager is additionally authorized to approve up to 10 percent in justifiable contract amendments from a contingency allowance.

**DATED** this Sixteenth Day of August, 2011.

CITY OF CRYSTAL LAKE, an Illinois  
Municipal Corporation

BY: \_\_\_\_\_  
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

\_\_\_\_\_  
NICK KACHIROUBAS, CITY CLERK

PASSED: August 16, 2011  
APPROVED: August 16, 2011

Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.





**Agenda Item No: 15**

**City Council  
Agenda Supplement**

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**Meeting Date:**

August 16, 2011

**Item:**

Appropriation of MFT funds for the City's share of the Pingree Road Segment 2 improvement

**Staff Recommendation:**

Motion to adopt a resolution appropriating \$124,000 in MFT funds for the Pingree Road Segment 2 improvement.

**Staff Contact:**

Erik Morimoto, Director of Engineering and Building

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**Background:**

City staff is requesting that the Council allocate \$124,000 in Motor Fuel Tax funds for the improvement to the Pingree Road Segment 2 intersection. This allocation is for the Phase III Construction Engineering and a 10 percent contingency. Any funds that are obligated and not spent will be returned to the City's unobligated balance once the project is complete. The City has budgeted for this project, and has sufficient reserves in its MFT fund for the engineering and construction.

**Votes Required to Pass:**

Simple majority



BE IT RESOLVED, by the Mayor and City Council of the City of Crystal Lake, Illinois that the following described street(s) be improved under the Illinois Highway Code:

Table with 4 columns: Name of Thoroughfare, Route, From, To. Row 1: Pingree Road, FAU 0126, At Congress Parkway, (blank)

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of the reconstruction of the intersection of Pingree Road and Congress Parkwark to provide an dual left turn lanes on northbound Pingree Road to Congress Station and traffic signal modernization

and shall be constructed 34 feet wide and be designated as Section 95-00090-01-FP

2. That there is hereby appropriated the (additional Yes No) sum of one hundred twenty-four thousand Dollars ( \$124,000.00 ) for the improvement of said section from the municipality's allotment of Motor Fuel Tax funds.

3. That work shall be done by Contract ; and, Specify Contract or Day Labor

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

Form for Department of Transportation approval with fields for Approved, Date, and Regional Engineer.

I, Nick Kachiroubas Clerk in and for the City of Crystal Lake, County of McHenry, hereby certify the

foregoing to be a true, perfect and complete copy of a resolution adopted by the Council at a meeting on August 16, 2011

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 16th day of August, 2011

(SEAL)

City, Town, or Village Clerk



**Agenda Item No: 16**

**City Council  
Agenda Supplement**

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**Meeting Date:**

August 16, 2011

**Item:**

Intergovernmental Agreement with McHenry County for the Illinois Route 176 and Walkup Road Improvement

**Staff Recommendation:**

Motion to adopt a resolution authorizing the City Manager to execute the Illinois Route 176 and Walkup Road Intergovernmental Agreement with McHenry County.

**Staff Contact:**

Erik D. Morimoto, Director of Engineering and Building  
Abigail L. Wilgreen, Assistant City Engineer

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**Background:**

The Illinois Route 176 and Walkup Road intersection project is a three-stage improvement (see attached project map), coordinated by the McHenry County Division of Transportation:

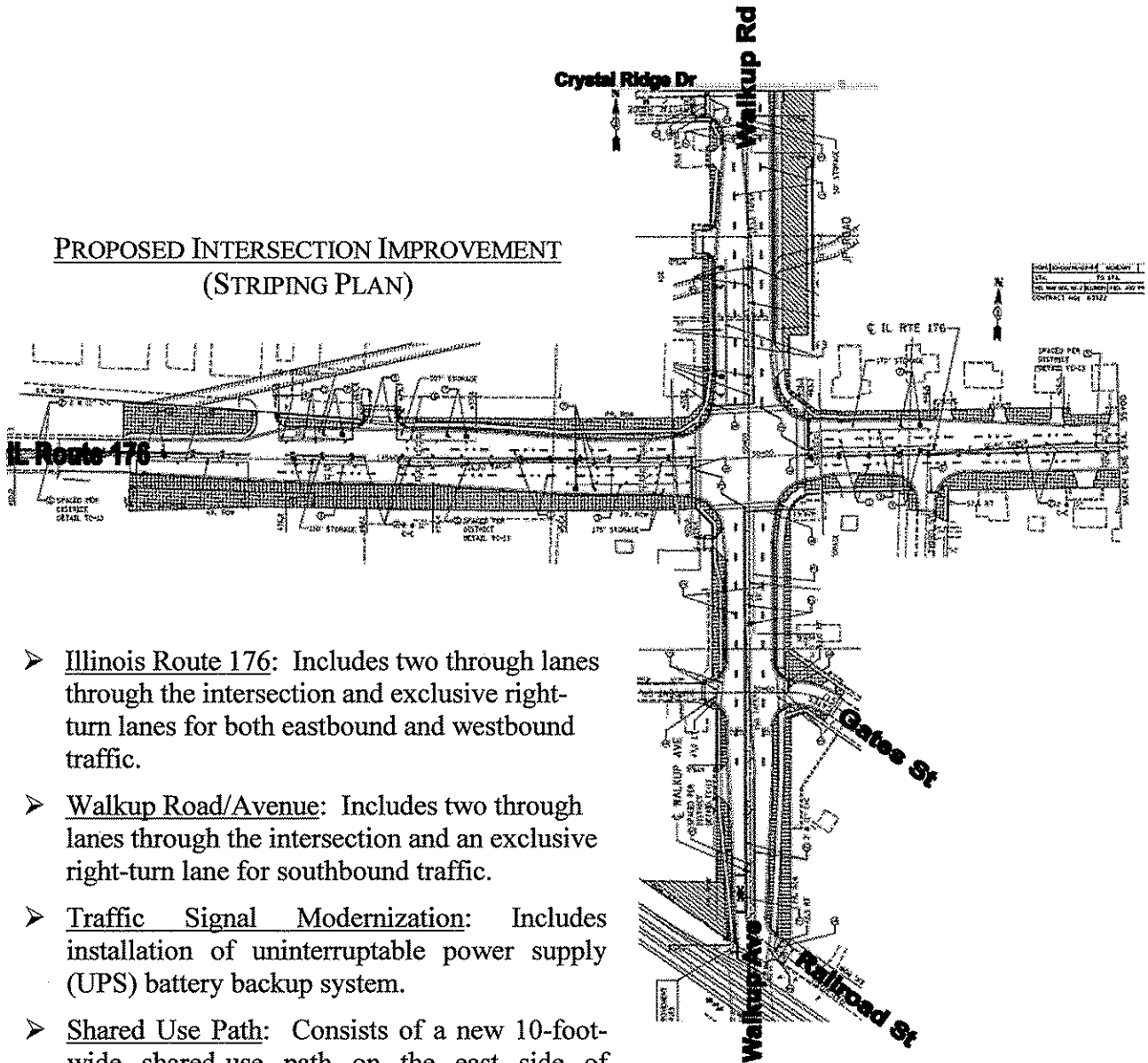
- Segment 1 (Live Oak Road to Crystal Spring Road): Began construction last summer and is nearly complete.
- Segment 2 (Walkup Road north of Crystal Springs Road): Engineering design is complete; bids were opened on August 5, 2011.
- Segment 3 (Walkup Road & Illinois Route 176 intersection): Engineering design is complete; bids were opened on August 5, 2011.

An improvement limits exhibit is attached with a detailed breakdown of roadway jurisdiction for each leg of the intersection.

The Illinois Route 176 and Walkup Road intersection improvement (Segment 3) includes roadway improvements, traffic signal modernization, shared use path construction, storm sewer, and water main improvements:

- Project Limits: Reconstruct and widen 1,938 linear feet of Illinois Route 176 from the Union Pacific Railroad viaduct to First Street and 3,831 linear feet of Walkup Road/Avenue from the Union Pacific Railroad crossing to Burning Bush Trail.

**PROPOSED INTERSECTION IMPROVEMENT  
(STRIPING PLAN)**



- **Illinois Route 176:** Includes two through lanes through the intersection and exclusive right-turn lanes for both eastbound and westbound traffic.
- **Walkup Road/Avenue:** Includes two through lanes through the intersection and an exclusive right-turn lane for southbound traffic.
- **Traffic Signal Modernization:** Includes installation of uninterruptable power supply (UPS) battery backup system.
- **Shared Use Path:** Consists of a new 10-foot-wide shared-use path on the east side of Walkup Road/Avenue from Gates Street to
- **Storm Sewer Improvements:** Consists of increased storm water conveyance, storage, and water quality treatment prior to being released into Veteran Acres.
- **Water Main Improvements:** Consists of replacing a variety of the aging 4-inch and 6-inch water main along Illinois Route 176 from First Street to Walkup Avenue and along Walkup Avenue south of Illinois Route 176 with a 12-inch water main. Not only does this improvement replace a portion of the existing water system that is in need of replacement, it is a vital link in upgrading the system to provide additional water capacity to the north, west, and south of the Illinois Route 176 and Walkup Avenue intersection.

The City and County have entered into two previous intergovernmental agreements (IGA) for the improvement of this intersection with a third proposed at this time to complete the project:

- 1) February 20, 2001: Intergovernmental agreement for the funding of Phase I Engineering.
- 2) February 21, 2006: Intergovernmental agreement for Phase II Engineering.
- 3) August 16, 2011 (Proposed): Intergovernmental agreement for Phase III Engineering, Construction, and other Miscellaneous Items.

This proposed intergovernmental agreement, for construction and other engineering work not covered by the first two IGAs, is structured in the same manner as the previous two agreements. The County will act as the lead agency, and the City will reimburse the County for its proportionate share of the improvement. This agreement covers the City's share of the intersection construction, Phase III Engineering, supplements to the Phase II Engineering, water main replacement, and building demolition.

The County estimates that the City will be responsible for an estimated \$910,449. This is in addition to the \$159,689.23 the City agreed to fund in the previous two intergovernmental agreements for this project. A breakdown of costs is included in Exhibit A of the agreement. Staff has reviewed the breakdown of costs for each element covered under this agreement and concurs with the proposal. The City Attorney has also reviewed the agreement and has deemed it acceptable.

The County is still in the process of selecting a qualified Phase III Engineering consultant for the project. The costs for this project were included in the Fiscal Year 2011-2012 budget.

**Votes Required to Pass:**

Simple Majority of the Council

DRAFT



**The City of Crystal Lake Illinois**

**RESOLUTION**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute an agreement between the City of Crystal Lake and the County of McHenry for the construction of improvements to the intersection of Illinois Route 176 and Walkup Road.

DATED this sixteenth day of August, 2011.

CITY OF CRYSTAL LAKE, an Illinois  
Municipal Corporation

BY: \_\_\_\_\_  
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

\_\_\_\_\_  
NICK KACHIROUBAS, CITY CLERK

PASSED: August 16, 2011

APPROVED: August 16, 2011

Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.



**Agenda Item No: 17**

**City Council  
Agenda Supplement**

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**Meeting Date:**

August 16, 2011

**Item:**

Appropriation of MFT funds for the City's share of the intersection improvement of IL Route 176 and Walkup Road.

**Staff Recommendation:**

Motion to adopt a resolution appropriating \$1,281,320 in MFT funds for the improvement of the intersection of Illinois Route 176 and Walkup Road.

**Staff Contact:**

Erik Morimoto, Director of Engineering and Building

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**Background:**

City staff is requesting that the Council allocate \$1,281,320 in Motor Fuel Tax funds for the improvement to the IL Route 176 and Walkup Road intersection. This allocation is for all engineering phases of the project, construction, and a 10 percent contingency. Any funds that are obligated and not spent will be returned to the City's unobligated balance once the project is complete. The City has budgeted for this project, and has sufficient reserves in its MFT fund for the engineering and construction.

**Votes Required to Pass:**

Simple majority



BE IT RESOLVED, by the Mayor and City Council of the City of Crystal Lake of the Illinois

that the following described street(s) be improved under the Illinois Highway Code:

Table with 4 columns: Name of Thoroughfare, Route, From, To. Row 1: IL Route 176, FAP 335, at Walkup Road, (blank)

BE IT FURTHER RESOLVED, 1. That the proposed improvement shall consist of the reconstruction of the intersection of IL Route 176 at Walkup Road to provide an additional through lanes in each direction along IL Route 176 and channelization on all four approaches. Traffic signal modernization, lighting and storm sewer are also part of the improvement.

and shall be constructed 55 feet wide and be designated as Section 99-00095-00-CH

2. That there is hereby appropriated the (additional Yes No) sum of One million, two hundred and eighty-one thousand, three hundred and twenty Dollars ( \$1,281,320.00 ) for the improvement of said section from the municipality's allotment of Motor Fuel Tax funds.

3. That work shall be done by Contract ; and, Specify Contract or Day Labor

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

Approved
Date
Department of Transportation
Regional Engineer

I, Nick Kachiroubas Clerk in and for the City of Crystal Lake of Crystal Lake County of McHenry, hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the Council Council or President and Board of Trustees at a meeting on August 16, 2011 Date August 16, 2011 IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 16th day of August, 2011 (SEAL) City, Town, or Village Clerk





**Agenda Item No: 18**

**City Council  
Agenda Supplement**

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**Meeting Date:**

August 16, 2011

**Item:**

Local Agency Agreement for Federal and State Participation with IDOT for Construction and Phase III Engineering of the Illinois Route 176 and Briarwood Road Improvement

**Staff Recommendation:**

Motion to adopt a resolution authorizing the City Manager to execute the Local Agency Agreement for Federal and State Participation with IDOT for Construction and Phase III Engineering of the Illinois Route 176 and Briarwood Road Improvement.

**Staff Contact:**

Erik D. Morimoto, Director of Engineering and Building

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**Background:**

The improvement to Illinois Route 176 at Briarwood Road includes the installation of a new traffic signal at the intersection, addition of dedicated left-turn lanes for each approach, and improved drainage. The City also felt that intersection lighting is necessary at this location and chose to add it to the project to further enhance safety. The improvement will also flatten the curve of the southern approach of the intersection. These improvements will improve visibility for drivers and improve safety at this intersection. The project is scheduled for the Illinois Department of Transportation's (IDOT) September 23, 2011 letting. The contractor may start some minor work later this year, with substantial work beginning in the Spring of 2012. Regardless, the project should be completed by the Fall of 2012.

This project received Federal Surface Transportation Program (STP) funds for road construction. IDOT administers these funds on behalf of the federal government. Attached is a Local Agency Agreement for Federal Participation between the City and IDOT that defines how the project will be funded using these federal grants. The STP grant will fund the road construction costs up to \$1,500,000. Since Illinois Route 176 is under state jurisdiction, IDOT has also agreed to pay for their proportionate share of the improvement. The southern approach of the intersection is under Dorr Township's jurisdiction, and they have agreed to pay their proportionate share as well. It should be noted that IDOT did not feel that intersection lighting was warranted at this location and, therefore, will not be participating in any costs associated with the new lighting.

The estimated local share for the construction and Phase III Engineering for the project is \$460,956. Of that local share, the City will pay an estimated \$248,042 and Dorr Township will pay an estimated \$212,914. IDOT is estimated to pay \$405,988. Contribution amounts will be finalized following the project letting in September, based on these proportionate shares. The City will use Motor Fuel Tax funds for its local share, and a portion of the costs for this project were included in the Fiscal Year 2011-2012 budget.

**ESTIMATED PHASE 3 AND CONSTRUCTION COSTS:**

<i>Illinois Department of Transportation</i>	<i>City</i>	<i>Dorr Township</i>
\$405,988	\$248,042	\$212,914

This agreement is a standard agreement that is used for all projects utilizing federal funds. Addendum 2, attached to the agreement, outlines the maintenance and energy responsibilities for the new traffic signal and lighting. The following summarizes Addendum 2:

**MAINTENANCE RESPONSIBILITIES:**

<i>Item</i>	<i>Maintenance Responsibility</i>	<i>Maintenance Costs</i>	<i>Energy Costs</i>
Traffic Signal	City	100% State	100% State
Lighting	City	100% City	100% City

The Engineering and Building Department is in the process of evaluating proposals for a Phase III Engineering consultant.

**Votes Required to Pass:**

A simple majority of the City Council in attendance.

**DRAFT**



**The City of Crystal Lake Illinois**

**RESOLUTION**

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE** that the City Manager be authorized to execute the Local Agency Agreement for Federal Participation for the Illinois Route 176 and Briarwood Road Improvement.

**DATED** this sixteenth day of August, 2011.

CITY OF CRYSTAL LAKE, an Illinois  
Municipal Corporation

BY: \_\_\_\_\_  
Aaron T. Shepley, Mayor

SEAL

ATTEST:

\_\_\_\_\_  
Nick Kachiroubas, City Clerk

PASSED: August 16, 2011

APPROVED: August 16, 2011



**Agenda Item No: 19**

**City Council  
Agenda Supplement**

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**Meeting Date:**

August 16, 2011

**Item:**

Intergovernmental Agreement with Dorr Township for the Illinois Route 176 and Briarwood Road Intersection Improvement

**Staff Recommendation:**

Motion to adopt a resolution authorizing the City Manager to execute the Illinois Route 176 and Briarwood Road Intergovernmental Agreement with Dorr Township.

**Staff Contact:**

Erik D. Morimoto, Director of Engineering and Building

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**Background:**

The improvement to Illinois Route 176 at Briarwood Road includes the installation of a new traffic signal at the intersection, addition of dedicated left-turn lanes for each approach, and improved drainage. The City also felt that intersection lighting is necessary at this location and chose to add it to the project to further enhance safety. The improvement will also flatten the curve of the southern approach of the intersection. These improvements will improve visibility for drivers and improve safety at this intersection. The project is scheduled for the Illinois Department of Transportation's (IDOT) September 23, 2011 letting. The contractor may start some minor work later this year, with substantial work beginning in the Spring of 2012. Regardless, the project should be completed by the Fall of 2012.

The southern approach of the intersection is under the jurisdiction of Dorr Township. The City approached Dorr Township requesting their participation to fund their proportionate share of the road improvement. The City and Dorr Township have agreed to split the local responsibility for the project evenly, with the exception of emergency vehicle pre-emption equipment (EVP) installation. EVP installation will be the sole responsibility of the City. Dorr Township's estimated share of the construction and Phase III Engineering is \$212,914. The City's share is estimated to be \$248,042. The City will use Motor Fuel Tax funds for its local share, and a portion of the costs for this project were included in the Fiscal Year 2011-2012 budget.

**ESTIMATED PHASE 3 AND CONSTRUCTION COSTS:**

<i>City</i>	<i>Dorr Township</i>
\$248,042	\$212,914

The maintenance and energy costs for the street lights will be covered by the City. IDOT did not feel intersection lighting was necessary at this intersection and will not be participating in any associated costs.

**MAINTENANCE RESPONSIBILITIES:**

<i>Item</i>	<i>Maintenance Responsibility</i>	<i>Maintenance Costs</i>	<i>Energy Costs</i>
Lighting	City	100% City	100% City

The Engineering and Building Department is in the process of evaluating proposals for a Phase III Engineering consultant.

The City Attorney has also reviewed the agreement and has deemed it acceptable.

**Votes Required to Pass:**

Simple Majority of the Council

**DRAFT**



**The City of Crystal Lake Illinois**

**RESOLUTION**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager be authorized to execute an agreement between the City of Crystal Lake and Dorr Township for the construction of improvements to the intersection of Illinois Route 176 and Briarwood Road.

DATED this sixteenth day of August, 2011.

CITY OF CRYSTAL LAKE, an Illinois  
Municipal Corporation

BY: \_\_\_\_\_  
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

\_\_\_\_\_  
NICK KACHIROUBAS, CITY CLERK

PASSED: August 16, 2011

APPROVED: August 16, 2011

Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.



**Agenda Item No: 20**

**City Council  
Agenda Supplement**

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**Meeting Date:**

August 16, 2011

**Item:**

Appropriate MFT funds for the City's share of the intersection improvement of IL Route 176 and Briarwood Road

**Staff Recommendation:**

Motion to adopt a resolution appropriating \$507,000 in MFT funds for the improvement of the intersection of IL Route 176 and Briarwood Road.

**Staff Contact:**

Erik Morimoto, Director of Engineering and Building

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**Background:**

City staff is requesting that the Council allocate \$507,000 in Motor Fuel Tax funds for the improvement to the IL Route 176 and Briarwood Road intersection. This allocation is for construction, Phase III Engineering, and a 10 percent contingency. Any funds that are obligated and not spent will be returned to the City's unobligated balance once the project is complete. The City has budgeted for this project, and has sufficient reserves in its MFT fund for the engineering and construction.

**Votes Required to Pass:**

Simple majority



BE IT RESOLVED, by the Mayor and City Council of the City of Crystal Lake of the Illinois

that the following described street(s) be improved under the Illinois Highway Code:

Table with 4 columns: Name of Thoroughfare, Route, From, To. Row 1: IL Route 176, FAP 335, at Briarwood Road,

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of the reconstruction of the intersection of IL Route 176 at Briarwood Road to provide channelization, roadway lighting, and a traffic signal. This appropriation is for construction and Phase III Engineering

and shall be constructed 34 feet wide and be designated as Section 11-00114-00-CH

2. That there is hereby appropriated the (additional Yes No) sum of five hundred and seven thousand Dollars ( \$507,000.00 ) for the improvement of said section from the municipality's allotment of Motor Fuel Tax funds.

3. That work shall be done by Contract ; and, Specify Contract or Day Labor

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the district office of the Department of Transportation.

Approved
Date
Department of Transportation
Regional Engineer

I, Nick Kachiroubas Clerk in and for the City of Crystal Lake of Crystal Lake City, Town or Village County of McHenry, hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the Council Council or President and Board of Trustees at a meeting on August 16, 2011 Date IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 16th day of August, 2011 (SEAL) City, Town, or Village Clerk





**Agenda Item No: 21**

**City Council  
Agenda Supplement**

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**Meeting Date:**

August 16, 2011

**Item:**

Virginia Street Corridor Phase III Engineering Contract Amendment and Deduction of Payment to Curran Contracting for the Recovery Schedule Overtime and Night Work.

**Staff Recommendation:**

Motion to adopt a resolution authorizing an amendment to the Virginia Street Corridor Phase III Engineering contract and deduction of payment to Curran Contracting for the recovery schedule overtime and night work on an hourly basis estimated in the amount of \$57,000.

**Staff Contact:**

Erik D. Morimoto, Director of Engineering and Building  
Abigail L. Wilgreen, Assistant City Engineer

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**Background:**

The Virginia Street Corridor Improvement includes streetscape improvements from Carpenter Street to Linn Avenue, along with roadway resurfacing along U.S. Route 14 between Crystal Lake Avenue and Teckler Boulevard. The scope of work for the streetscape improvements includes decorative roadway and pedestrian lighting, removal and replacement of the existing sidewalk and curb and gutter, and the installation of decorative elements, including specialty paving, street furnishings, signage, and landscaping. Construction commenced by Curran Contracting (contractor) on April 25, 2011 with a contract completion date of October 14, 2011.

Construction during the first two months was slowed due to quality control concerns by the sub-contractor and other issues. As of the end of June, the contractor was approximately 6 weeks behind schedule with 2 weeks being due to weather. The contractor remedied the concerns with one of the subcontractors and provided a recovery schedule showing the October 14th completion deadline could still be met. The recovery schedule utilizes overnight work and longer working days (sometimes 20-hours per day) as one means of making up lost time. Tasks anticipated during the overnight hours are associated with the resurfacing work, such as structure adjustments, surface removal, pavement patching, and surface paving. Performing this work during the nighttime hours avoids additional traffic congestion as well as allows for more

efficient completion of the work as equipment and staff would not be hindered by the background traffic congestion.

The City engaged TranSystems Corporation for construction engineering services for this project in March of this year. Their contract includes standard overtime and weekend work, but not overnight work. TranSystems must be present whenever the contractor is working to observe, document and measure the contractor's work for proper payment as well as monitor the quality of work. Night work would require additional staffing of one construction engineer to maintain continuous observation for a 20-hour working day.

### **Phase III Engineering Contract Amendment:**

Staff is requesting an amendment to the contract between the City and its construction engineering consultant, TranSystems Corporation, to help facilitate the contractor's recovery schedule and ensure the project can still meet the October 14, 2011 completion date.

The costs for these additional construction observation and inspection services would be the responsibility of the contractor, per the project specifications (see below).

*"EXTRA ENGINEERING AND INSPECTION: The Owner will furnish engineering and inspection service to insure the work being carried out is in accordance with the terms of the contract on the basis of a forty-hour work week throughout the period of time allowed to the Contractor in the contract for completion of the work, including those extensions of time made necessary by the action of the Owner.*

***In the event that extensions of time are made necessary by the inability of the Contractor to complete the work in the time agreed upon in the contract or in the event the Contractor works more than eight hours on any working day or works on Saturday or Sunday at any time, the Owner shall continue to furnish said engineering and inspection, but the cost of such service during the additional time required or the overtime worked shall be deducted from any payments due to the Contractor. If the amounts due the Contractor are not sufficient to cover the cost of this engineering and inspection, the Contractor shall reimburse the owner in the amount necessary to cover these costs. Extra engineering and inspection shall be charged for at the Engineers' per diem rates as established by the Society of Professional Engineers in the State in which the work is being done. The rate shall be applied on a time and one-half basis for all time over eight hours on any single working day and for all hours on Saturday and on a double time basis for all Sunday hours".***

TranSystems would invoice the City separately for the extended working days and overnight work on an hourly basis. That amount would then be deducted from the payments made to the contractor. Charges to the contractor would be limited to time where Curran actually performs work in an extended working day outside the scope of the original Phase III construction engineering contract.

Staff has reviewed the proposal and met with TranSystems regarding the proposed hourly rates and personnel assignments. Staff feels they are very reasonable based upon the service provided and the level of experience of the assigned staff. Based upon the contractor's recovery schedule,

it is estimated that an additional \$57,000 may be necessary for these construction engineering services if extended working days were to occur for all 46 days indicated on the contractor's recovery schedule, though the actual amount would be based on the hours actually worked.

The contractor has been advised of the additional costs and is supportive of the assistance provided to deliver project completion on schedule.

**Summary:**

Staff is requesting an amendment to the contract between the City and its construction engineering consultant, TranSystems Corporation, to help facilitate the contractor's recovery schedule.

- Overnight and 20-hour operations were not originally anticipated by the contractor, and are not included in overtime already built into TranSystems' current construction engineering services contract.

Overnight work requires additional personnel from the consultant to maintain continuous construction observation throughout a 20-hour working day.

- Though driven by the contractor's recovery schedule, the contract amendment between the City and TranSystems is needed, as they represent the City's interests for construction observation and documentation.
- Costs for the construction engineering services associated with the night work would be deducted from payments to Curran Contracting, per the project specifications, and not borne by the City.
- The deduction of payment would be based on the number of nightly and extended overtime hours actually performed by the contractor, and are estimated at approximately \$57,000 if all 46 days outlined in Curran's recovery schedule are actually needed.  
Actual deduction may be less, depending on the actual hours of night work needed to meet the recovery schedule, weather, and other efficiencies gained by the contractor during the standard working days.

**Votes Required to Pass:**

Simple majority

DRAFT



**The City of Crystal Lake Illinois**

**RESOLUTION**

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE** that the City Manager be authorized to execute a contract amendment and deduction of payment to Curran Contracting for the recovery schedule overtime and night work with TranSystems Corporation for the Virginia Street Corridor Phase III Engineering.

**DATED** this Sixteenth Day of August, 2011.

CITY OF CRYSTAL LAKE, an Illinois  
Municipal Corporation

BY: \_\_\_\_\_  
AARON T. SHEPLEY, MAYOR

SEAL

ATTEST:

\_\_\_\_\_  
NICK KACHIROUBAS, CITY CLERK

PASSED: August 16, 2011  
APPROVED: August 16, 2011

Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.



**Agenda Item No: 22**

**City Council  
Agenda Supplement**

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**Meeting Date:** August 16, 2011

**Item:** Memorandum of Agreement for the Collective Bargaining Agreement between the City of Crystal Lake and the International Union of Operating Engineers Local 150

**Staff Recommendation:** Motion to adopt a Resolution authorizing the City Manager to execute a Memorandum of Agreement between the City of Crystal Lake and the International Union of Operating Engineers Local 150.

**Staff Contact:** Ann Everhart, Human Resources Director

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**Background:** Tonight we present for review to the Mayor and City Council a Memorandum of Agreement between the City of Crystal Lake and the International Union of Operating Engineers Local 150. The current Public Works contract included a zero percent cost of living increase for 2010-2011 and a wage re-opener clause for 2011-2012. As a result of our discussions on the wage re-opener for the contract, this Memorandum of Agreement provides the city and our public works employees with a revised Public Works Pay Plan for 2011-2012 (that again includes a zero percent cost of living increase) and it extends the contract one additional year (2012-2013) with a 2% cost of living increase to the revised pay plan. This Memorandum of Agreement was presented to and approved by a majority vote of the union members on August 3, 2011.

**Votes Required to Pass:** Simple Majority.



**DRAFT**

**The City of Crystal Lake Illinois**

**RESOLUTION**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE that the City Manager is authorized to execute the Memorandum of Agreement between the City of Crystal Lake and the International Union of Operating Engineers Local 150.

Dated this 16<sup>th</sup> day of August, 2011.

CITY OF CRYSTAL LAKE, an Illinois  
Municipal Corporation

BY: \_\_\_\_\_  
Aaron T. Shepley, Mayor

ATTEST:

\_\_\_\_\_  
Nick Kachiroubas, City Clerk

Passed:

Approved: